

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

JAMES P. VICK

PLAINTIFF

v.

Civil No. 06-3067

C.E. "CHUCK" MEDFORD;
LT. BETH REELY; SGT.
ROB McGEE; OFFICER MARK
LOTT; OFFICER MICHAEL BROWN;
OFFICER DEBBIE DAVIS;
OFFICER DAVE HENDERSON;
OFFICER DISHEROON; DEPUTY
JOHN RAINS; DEPUTY GREG
NOFSTGER; PORTIA STINES
(formerly known as Portia Hill); LISA
ADAMS; DEBBIE PRICE; et al.

DEFENDANTS

ORDER

Plaintiff has initiated this Section 1983 action pro se and in forma pauperis. Now before the Court are the Plaintiff's Motions to Compel (Doc. 53 and 72). Defendants have responded to Plaintiff's second Motion to Compel (Doc. 80). Also relevant to the Court's consideration is Defendants' Motion for Extension of time to Respond to Plaintiff's Request for Production (Doc. 76).

Plaintiff's first motion to compel (Doc. 53) seeks to compel the production of documents from the Defendants. Defendants subsequently filed a Motion for Extension of Time to Respond to Plaintiff's Request for Production (Doc. 76). Defendants advise that Plaintiff's requests for production are extensive in that meal logs, jail logs, suicide watch logs, copies of jailer certifications, and other similar records are requested for the time period of April 30, 2003 to January 9, 2004. Defendants further advise that the interrogatories to Defendant Price were delayed in returning to counsel, and that the interrogatories to Defendant McGee were returned as undeliverable mail.

Defendants request an extension, up to and including June 20, 2007, to finalize discovery responses including requests for production, and the interrogatories of Defendants McGee and Price.

Upon due consideration and for good cause shown, Defendants Motion for Extension of Time to Respond to Plaintiff's Request for Production (Doc. 76) is GRANTED. **Defendants shall have until and including June 20, 2007 to finalize discovery responses of Defendants McGee and Price and to produce documents in response to Plaintiff's request for production.** Accordingly, Plaintiff's first motion to compel (Doc. 53) is DENIED AS MOOT.

Plaintiff's second motion to compel (Doc. 72), seeks to compel the interrogatories to Defendants Suchland, Moss, Keeland, and Gordon. Plaintiff states that these Defendants answered his Complaint on March 2, 2007. Plaintiff informed these newly-added Defendants that counsel "already ha[s] in your possession" the interrogatories he wished to propound to these Defendants. However, these defendants were not named in the lawsuit at the time Plaintiff propounded the initial interrogatories. Plaintiff's Motion to Compel (Doc. 72) is DENIED. Plaintiff should re-propound the interrogatories to the newly-named Defendants Suchland, Moss, Keeland, and Gordon if he wishes to obtain discovery from those Defendants.

IT IS SO ORDERED this 22nd day of May, 2007.

/s/ J. Marschewski
HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE